

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CATHY SUE AND LARRY TYGART,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
AM RESORTS, LLC, ATKINSON & MULLEN	:	NO. 11-3714
TRAVEL II, LLC, ATKINSON & MULLEN	:	
TRAVEL, INC., APPLE VACATIONS, and	:	
SECRETS SILVERSANDS RIVIERA CANCUN	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 22nd day of *September*, 2011, upon consideration of Defendants Apple Vacations, Atkinson & Mullen Travel II, LLC, and Atkinson & Mullen Travel, Inc.'s Motion for Summary Judgment (Docket No. 8); Defendant AM Resorts, LLC's Response and Joinder to the Motion for Summary Judgment (Docket No. 13); Plaintiffs Cathy Sue and Larry Tygart's Motion to Remand (Docket No. 14); Defendants Apple Vacations, Atkinson & Mullen Travel II, LLC, and Atkinson & Mullen Travel, Inc.'s Response in Opposition to the Motion to Remand (Docket No. 16); and Defendant AM Resorts, LLC's Response in Opposition to the Motion to Remand (Docket No. 20); it is hereby **ORDERED** as follows:

1. Plaintiffs' Motion to Remand (Docket No. 14) is **DENIED**.
2. Defendants' Motion for Summary Judgment (Docket No. 8) is **GRANTED**.
JUDGMENT IS ENTERED in favor of Defendants AM Resorts, LLC, Atkinson & Mullen Travel II, LLC, Atkinson & Mullen Travel, Inc., and Apple Vacations and against Plaintiffs Cathy Sue and Larry Tygart.

This case is **CLOSED**.

BY THE COURT:

s/ **Ronald L. Buckwalter**
RONALD L. BUCKWALTER, S.J.